

ORIGINAL

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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

AUG 15 2006

at 3 o'clock and 15 min. P.M.  
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00285-JMS
	)	
Plaintiff,	)	APPLICATION REGARDING
	)	TEMPORARY TRANSFER OF
v.	)	CUSTODY TO THE STATE OF HAWAII
	)	REGARDING WRIT OF HABEAS
RICHARD FIAPOTO,	)	CORPUS AD PROSEQUENDUM;
	)	EXHIBITS "A AND B"
Defendant.	)	
	)	
	)	
	)	
	)	

APPLICATION REGARDING TEMPORARY TRANSFER  
OF CUSTODY TO THE STATE OF HAWAII REGARDING  
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

Charlene K. Ikeda, Deputy Prosecuting Attorney for the City and County of Honolulu, State of Hawaii, hereby moves the Honorable Court for an Order authorizing the temporary transfer of the physical custody of RICHARD FIAPOTO, from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials from time to time and as needed until the conclusion of State of

Hawaii v. RICHARD FIAPOTO, also known as Junior Sake Fiapoto, Criminal Nos. 03-1-1773 and 05-1-0682.

Defendant RICHARD FIAPOTO, also known as Junior Sake Fiapoto, is now detained in the custody of the United States Marshal Service, District of Hawaii, serving a 108-month federal term of imprisonment.

Defendant RICHARD FIAPOTO, also known as Junior Sake Fiapoto, has sentencing before the Honorable Richard W. Pollack, Judge of the Circuit Court of the First Circuit, State of Hawaii, currently scheduled for August 28, 2006; 11:00 a.m.

The State of Hawaii has received approval for a temporary transfer of custody from the Assistant United States Attorney assigned to the above matter. (See, Exhibit "A").

This Application requests that the Court grant a temporary transfer of the physical custody of RICHARD FIAPOTO, also known as Junior Sake Fiapoto, from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials, based on the State of Hawaii's Writ of Habeas Corpus ad Prosequendum filed on August 28, 2006, in the Circuit Court of the First Circuit, State of Hawaii (see, Exhibit "B").

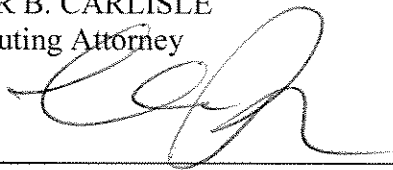
Upon conclusion of State of Hawaii v. RICHARD FIAPOTO, also known as Junior Sake Fiapoto, Criminal Nos. 03-1-1773 and 05-1-0682, Defendant RICHARD FIAPOTO, also known as

Junior Sake Fiapoto, will be returned to the United States Marshal Service, District of Hawaii, on a mutually agreed upon date.

Dated at Honolulu, Hawaii: August 15, 2006.

STATE OF HAWAII

By PETER B. CARLISLE  
Prosecuting Attorney

By   
CHARLENE K. IKEDA  
Deputy Prosecuting Attorney  
City and County of Honolulu